IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 8131 of 2005

Between:

E. Nageswar Rao S/o Ramaiah Naidu
Shop No.7, F.P.Shop Dealer,New Colony, Pakala Mandl,

Chittoor District

..... PETITIONER

AND

1 The Joint Collector (CIvil Supplies), Chittoor, Chittoor District
2 The Revenue Divisional Officer, Tiruapti, Chittoor District
3 The mandal Revenue Officer, Pakala, Chittoor distirct

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the proceedings issued by the 2nd Respondent in D.Dis/566/2005, dated 10-3-2005 as arbitrary, illegal and against the provisions of A.P. state Public Distribution system control order 2001 and consequently direct the Respondents herein to continue the petitioner as F.P. Shop Dealer of Shop No.7 of Kamatampalli Village, Pakala Mandal, Chittoor district and pass such other order orders as this Honourable Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.T.NAGARJUNA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORAL ORDER:.

Heard both sides and at their request this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of a writ particularly one in the nature of Writ of Mandamus, declaring the proceedings issued by the second respondent in D.Dis No. 566/05 dated 10.3.2005 as arbitrary, illegal, against the provisions of A.P. State Public Distribution System Control Order, 2001 and consequently, direct the respondents to continue the petitioner as Fair Price Shop Dealer of Shop No. 7 of Kamatampalli Village, Pakaala Mandal, Chittoor District.

The main grievance of the petitioner in this Writ Petition is that though he filed an appeal along with an application before the first respondent seeking stay of proceedings of the second respondent, dated 10.3.2005, so far no orders are passed by the first respondent.

In view of the above, this Writ Petition is closed with a direction to the first respondent to dispose of the appeal filed by the petitioner by passing reasoned order, within a period of three weeks, from the date of receipt of a copy of this order. No costs.

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D.S.R. VARMA, J

DATED: 12.04.2005

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Note: Furnish copy in two days.

To

1 The Joint Collector (CIvil Supplies), Chittoor, Chittoor District
2 The Revenue Divisional Officer, Tiruapti, Chittoor District
3 The Mandal Revenue Officer, Pakala, Chittoor distirct

4. Two CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)

5. Two CD copies.